



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER	FILING DATE	FIRST NAME APPLICANT	ATTORNEY DOCKET NUMBER
09/653130	08/31/2000	AI Gilbertson	166030-0007

Bruce A Kaser  
Miller Nash LLP  
4400 Two Union Square  
601 Union Street  
Seattle, WA 98101-2352

### RECEIVED

JUN 24 2004

MILLER NASH LLP

Examiner: Metzmaier, Daniel S

Art Unit  
28772

Paper Number  
#

Date Mailed: June 21, 2004

## Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on **August 31, 2000** still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

RETURN CORRECTED DRAWINGS TO:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450



U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

## NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 8/31/00 are:

- A.  approved by the Draftsperson under 37 CFR 1.84 or 1.152.  
B.  objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

<p><b>1. DRAWINGS.</b> 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).</p> <p><input type="checkbox"/> Color drawings are not acceptable until petition is granted. Fig(s) _____</p> <p><input type="checkbox"/> Pencil and non black ink not permitted. Fig(s) _____</p>	<p><b>8. ARRANGEMENT OF VIEWS.</b> 37 CFR 1.84(i)</p> <p><input type="checkbox"/> Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____</p>
<p><b>2. PHOTOGRAPHS.</b> 37 CFR 1.84(b)</p> <p><input type="checkbox"/> One (1) full-tone set is required. Fig(s) _____</p> <p><input type="checkbox"/> Photographs may not be mounted. 37 CFR 1.84(e)</p> <p><input type="checkbox"/> Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____</p> <p><input type="checkbox"/> Poor quality (half-tone). Fig(s) _____</p>	<p><b>9. SCALE.</b> 37 CFR 1.84(k)</p> <p><input type="checkbox"/> Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____</p>
<p><b>3. TYPE OF PAPER.</b> 37 CFR 1.84(e)</p> <p><input type="checkbox"/> Paper not flexible, strong, white, and durable. Fig(s) _____</p> <p><input type="checkbox"/> Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) <u>1-12</u></p>	<p><b>10. CHARACTER OF LINES, NUMBERS, &amp; LETTERS.</b> 37 CFR 1.84(l)</p> <p><input checked="" type="checkbox"/> Lines, numbers &amp; letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) <u>1-4, 9, 11, 12</u></p>
<p><b>4. SIZE OF PAPER.</b> 37 CFR 1.84(f): Acceptable sizes:</p> <p>21.0 cm by 29.7 cm (DIN size A4) or 21.6 cm by 27.9 cm (8 1/2x 11 inches)</p> <p><input type="checkbox"/> All drawing sheets not the same size.</p> <p>Sheet(s) _____</p> <p><input type="checkbox"/> Drawings sheets not an acceptable size. Fig(s) _____</p>	<p><b>11. SHADING.</b> 37 CFR 1.84(m)</p> <p><input type="checkbox"/> Solid black areas pale. Fig(s) _____</p> <p><input type="checkbox"/> Solid black shading not permitted. Fig(s) _____</p>
<p><b>5. MARGINS.</b> 37 CFR 1.84(g): Acceptable margins: Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.5 cm</p> <p><input type="checkbox"/> Margins not acceptable. Fig(s) <u>9, 12</u></p> <p><input checked="" type="checkbox"/> Top (T) <input checked="" type="checkbox"/> Left (L) <input checked="" type="checkbox"/> Right (R) <input checked="" type="checkbox"/> Bottom (B)</p>	<p><b>12. NUMBERS, LETTERS, &amp; REFERENCE CHARACTERS.</b> 37 CFR 1.84(p)</p> <p><input type="checkbox"/> Numbers and reference characters not plain and legible. Fig(s) _____</p> <p><input type="checkbox"/> Figure legends are poor. Fig(s) _____</p> <p><input type="checkbox"/> Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) <u>5-8</u></p> <p><input type="checkbox"/> English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____</p> <p><input type="checkbox"/> Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____</p>
<p><b>6. VIEWS.</b> 37 CFR 1.84(h)</p> <p>REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.</p> <p><input type="checkbox"/> Views not labeled separately or properly. Fig(s) _____</p>	<p><b>13. LEAD LINES.</b> 37 CFR 1.84(q)</p> <p><input type="checkbox"/> Lead lines missing. Fig(s) _____</p>
<p><b>7. SECTIONAL VIEWS.</b> 37 CFR 1.84(h)(3)</p> <p><input type="checkbox"/> Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____</p>	<p><b>14. NUMBERING OF SHEETS OF DRAWINGS.</b> 37 CFR 1.84(t)</p> <p><input type="checkbox"/> Sheets not numbered consecutively, and in Arabic numbers beginning with number 1: Sheet(s) _____</p>
	<p><b>15. NUMBERING OF VIEWS.</b> 37 CFR 1.84(u)</p> <p><input type="checkbox"/> Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____</p>
	<p><b>16. DESIGN DRAWINGS.</b> 37 CFR 1.152</p> <p><input type="checkbox"/> Surface shading shown not appropriate. Fig(s) _____</p> <p><input type="checkbox"/> Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____</p>

### COMMENTS:

Reviewer \_\_\_\_\_

If you have questions, call (703) 305-8404.

Date 6/21/04

Attachment to Paper No. \_\_\_\_\_



B IFW  
95

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Al Gilbertson  
Assignee: EightStar Diamond Company, Inc.  
Filing Date: 08/31/2000  
Title: DEVICE FOR JUDGING SYMMETRY,  
BRIGHTNESS, AND EFFICIENCY OF LIGHT  
RETURN IN PRECIOUS STONES  
Application Serial No.: 09/653,130

Attorney Docket No.: 530010-0009

### CERTIFICATE OF MAILING

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

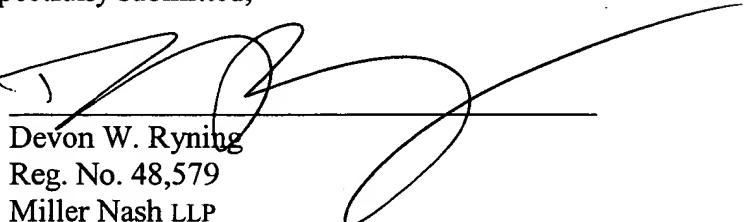
The following documents are today being deposited with the United States Postal Service "Express Mail Post Office to Addressee" (EV 309800911 US) service under 37 C.F.R. 1.10 in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Transmittal Form PTO/SB/21;
2. Statement of No New Matter;
3. Nine (9) pages of formal drawings;
4. Copy of Notice Regarding Drawings;
5. Certificate of Mailing; and
6. Itemized Return Receipt Postcard.

Signed at Seattle, Washington this 12th day of July, 2004

Respectfully submitted,

By:

  
Devon W. Ryning  
Reg. No. 48,579  
Miller Nash LLP  
4400 Two Union Square  
601 Union Street  
Seattle, WA 98101  
Phone: (206) 622-8484  
Fax: (206) 622-7485



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM  (to be used for all correspondence after initial filing)	Application Number	09/653,130	
	Filing Date	08/31/2000	
	First Named Inventor	Gilbertson, Al	
	Art Unit	28772	
	Examiner Name	Metzmaier, Daniel S.	
Total Number of Pages in This Submission	13	Attorney Docket Number	530010-0009

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="margin-left: 20px;">Statement of No New Matter, Copy of Notice Regarding Drawings, Certificate of Mailing, Return Receipt Postcard</div>
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Devon W. Ryning (48,579)
Signature	
Date	July 12, 2004

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name		
Signature		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION EXAMINING OPERATIONS

Applicant: Al Gilbertson

Group Art Unit: 28772

Assignee: EightStar Diamond Company, Inc.

Examiner: Metzmaier, Daniel S.

Serial No. : 09/653,130

Filed : 08/31/2000

Title : DEVICE FOR JUDGING SYMMETRY, BRIGHTNESS, AND EFFICIENCY  
OF LIGHT RETURN IN PRECIOUS STONES

STATEMENT OF NO NEW MATTER

Miller Nash LLP  
4400 Two Union Square  
601 Union Street  
Seattle, Washington 98101  
July 12, 2004

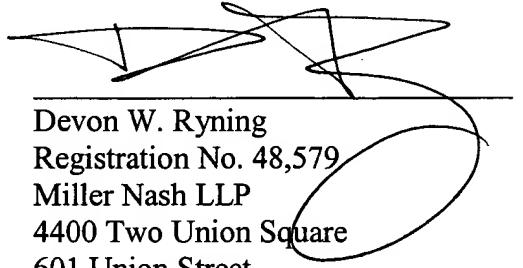
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

In response to the Notice Regarding Drawings mailed on June 21, 2004, applicant herewith submits formal drawings for FIGS. 1-13. Applicant respectfully submits that no new matter has been added in the formal drawings submitted herewith. The applicant therefore requests issuance of this application.

The person making this statement is the attorney who signs below on the basis of  
the information supplied by the inventor and the information in the file.

Respectfully submitted,



Devon W. Ryning  
Registration No. 48,579  
Miller Nash LLP  
4400 Two Union Square  
601 Union Street  
Seattle, WA 98101  
Telephone: (206) 622-8484  
Fax: (206) 622-7485